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The parties are directed to participate on a telephone conference with the Court on June 20, 2012 at 5:15 p.m. Plaintiff's directed to circulate a call-in number prior to the call.



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BRUCE R. EWING
PARTNER
(212) 415-9206
FAX (212) 953-7201
ewing.bruce@dorsey.com

SO ORDERED:

June 15, 2012

William H. Pauley III
WILLIAM H. PAULEY III U.S.D.J.

BY HAND

The Honorable William H. Pauley III
U.S. District Court for the
Southern District of New York
500 Pearl Street, Room 2210
New York, New York 10007

6/19/12

RECEIVED

JUN 18 2012

CHAMBERS OF
WILLIAM H. PAULEY
U.S.D.J.

Re: Hard Rock Cafe International (USA), Inc. v.
Hard Rock Hotel Holdings, LLC et al, 10 CV 7244 (WHP)

Dear Judge Pauley:

We are counsel to the plaintiff in the above-referenced action and write on behalf of all counsel.

As the Court is likely aware, representatives of plaintiff and the defendants that currently own or operate the Las Vegas Hard Rock Hotel & Casino met in person in New York on May 21, 2012 for another mediation session with Judge Sweet. Additional telephonic and electronic discussions have since taken place between these parties regarding settlement, and these parties are considering the engagement of a business mediator to assist in resolving their dispute. Those discussions are ongoing, and if they agree to engage such a mediator, it is anticipated that the discussions will advance as rapidly as possible.

In light of the parties' desire to continue settlement discussions and explore business mediation, the parties submit the enclosed Eighth Amended Stipulation and Order modifying all pre-trial dates identified in the prior Amended Stipulation and Order entered on April 18, 2012 [Docket No. 70]. The schedule reflected in the Eighth Amended Stipulation and Order was agreed to by all the parties.

It is not clear at this point what impact the possible engagement of a business mediator would have on the process before Judge Sweet. As set forth in the stipulation, the parties engaged in that process undertake to provide further advice, both to Your Honor and to Judge Sweet, as soon as practicable.

All counsel are available at the Court's convenience if Your Honor wishes to discuss any of these issues further.

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DORSEY & WHITNEY LLP • WWW.DORSEY.COM • T 212.415.9200 • F 212.953.7201
51 WEST 52ND STREET • NEW YORK, NEW YORK 10019-6119

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The Honorable William H. Pauley III
June 15, 2012
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Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Bruce R. Ewing'.

Bruce R. Ewing

Enclosure
cc: Hon. Robert W. Sweet
All Counsel of Record (via electronic mail)